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**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

EDGAR SOLIS,

Plaintiff,

v.

STATE OF CALIFORNIA; and  
MICHAEL BELL,

Defendants.

Case No.: 5:23-cv-00515-HDV-JPR

[*Honorable Hernán D. Vera*]  
Magistrate Judge Jean P. Rosenbluth

**DECLARATION OF MARCEL F.  
SINCICH IN SUPPORT OF  
PLAINTIFF'S MOTIONS IN  
LIMINE Nos. 1-5**

[(Proposed) Orders; Notice of Motions  
and Motions *in Limine* 1-5; and attached  
exhibits *filed concurrently herewith*]

**Hearing on Motions in Limine:**

October 1, 2024 at 09:00 a.m.

**Final Pretrial Conference:**

October 8, 2024 at 10:00 a.m.

**Jury Trial**

October 29, 2024 at 09:00 a.m.

Ctrm: 10D

**DECLARATION OF MARCEL F. SINCICH**

I, Marcel F. Sincich, hereby declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and the United States District Court for the Central District of California. I am one of the attorneys of record for Plaintiff Edgar Solis. I make this declaration in support of Plaintiff's Motion in Limine No. 1 to Exclude Information Unknown; Plaintiff's Motion in Limine No. 2 to Exclude Speculative and Prejudicial Information; Plaintiff's Motion in Limine No. 3 to Exclude Speculative and Unreasonable Subjective Fears; Plaintiff's Motion in Limine No. 4 to Exclude Defendants' Toxicology Expert; and Plaintiff's Motion in Limine No. 5 to Exclude Defendants' Police Practices Experts. I have personal knowledge of the facts contained herein and could testify competently thereto if called.

2. These Motions are made following a conference of counsel pursuant to Local Rule 7-3 on August 29, 2024 and September 5, 2024, during which Plaintiff understood that a partial resolution was reached. The subjects of Plaintiff's Motion in Limine Nos. 1-5 have been discussed with opposing counsel. Opposing counsel has indicated their intent to submit evidence to the jury related to such matters contained within each motion and will oppose Plaintiff's Motions in Limine.

3. Plaintiff understood that the parties reached a partial resolution as to several evidentiary issues, and circulating a draft Joint Stipulation re Evidence at Trial and Motions in Limine. However, the parties have not been able to agree on draft stipulation prior to filing said motion. Attached hereto as "**Exhibit N**" is a true and correct copy of the circulated draft Stipulation re Evidence at Trial and Motions in Limine. Plaintiff is currently unaware if the parties will be able to reach an agreement on these issues therefore incorporates these issues within Plaintiff's various Motions in Limine where appropriate.

1           4.       Attached hereto as “**Exhibit A, Bell Depo**” is a true and correct copy of  
2 the relevant portions of a transcript of the May 8, 2024, Deposition of Defendant  
3 Michael Bell.

4           5.       Attached hereto as “**Exhibit B, Bell Statement**” is a true and correct  
5 copy of the relevant portions of a transcript of the March 8, 2022, Statement of  
6 Defendant Michael Bell to Riverside County District Attorney Investigators, in total  
7 produced by Defendants as AGO 68-161. Marked as confidential, thus subject to  
8 Plaintiff’s application to file under seal.

9           6.       Attached hereto as “**Exhibit C, Paez Depo**” is a true and correct copy  
10 of the relevant portions of a transcript of the May 15, 2024, Deposition of Arthur  
11 Paez.

12           7.       Attached hereto as “**Exhibit D, Waltermire Depo**” is a true and  
13 correct copy of the relevant portions of a transcript of the October 19, 2023,  
14 Deposition of Salvador Waltermire.

15           8.       Attached hereto as “**Exhibit E, Summary of Incident**” is a true and  
16 correct copy of the relevant portions of the Defendant State of California  
17 investigation Summary of Incident, produced by Defendants as AGO 10-13.

18           9.       Attached hereto as “**Exhibit F, Clark Report**” is a true and correct  
19 copy of Plaintiff’s police practices expert, Roger Clark’s, Rule 26 Report.

20           10.      Attached hereto as “**Exhibit G, Blood Sample Report**” is a true and  
21 correct copy of the Defendant State of California investigation report regarding the  
22 collection of the blood sample ultimately tested by Biotox Laboratories, produced  
23 by Defendants as AGO 392-394.

24           11.      Attached hereto as “**Exhibit H, Ward Report**” is a true and correct  
25 copy of Defendants’ video expert’s, Parris Ward, Rule 26 Report.

26           12.      Attached hereto as “**Exhibit I, Ritter Report**” is a true and correct  
27 copy of Defendants’ toxicology expert’s, Dr. Michael Ritter, Rule 26 Report.  
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1           **13.** Attached hereto as “**Exhibit J, Ritter Depo**” is a true and correct copy  
2 of the relevant portions of the July 26, 2024, Deposition of Defendants’ toxicology  
3 expert, Michael Ritter, M.D.

4           **14.** Attached hereto as “**Exhibit K, Meyer Depo**” is a true and correct  
5 copy of the relevant portions of the July 15, 2024, Deposition of Defendants’ police  
6 practices expert, Greg Meyer.

7           **15.** Attached hereto as “**Exhibit L, Meyer Report**” is a true and correct  
8 copy of Defendants’ police practices expert’s, Greg Meyer, Rule 26 Report.

9           **16.** On January 4, 2024, Plaintiff produced 4,063 pages of medical records  
10 to Defendants, followed by an additional 4,815 pages of medical records on April  
11 30, 2024 (totaling 8,878 pages of medical records to Defendants).

12           **17.** On September 8, 2023, Defendants produced 26 videos related to this  
13 incident; four of which Solis can be heard making sounds that indicate pain and  
14 even saying he is in pain, and two of which Solis can be seen in pain.

15           **18.** Attached hereto as “**Exhibit M, Medical Records**” is a true and correct  
16 copy of relevant portions of Plaintiff’s Medical Records from his treatment after the  
17 incident, produced by Plaintiff as P 12 and 69.

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19           I declare under penalty of perjury under the laws of the United States that the  
20 foregoing is true and correct. Executed this 10th day of September 2024.

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23 Marcel F. Sincich  
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